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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/805,233   | 03/22/2004  | Wen-Cheng Tseng      | 58268.00370         | 9041             |
| 32294 7590 08/05/2008<br>SQUIRE, SANDERS & DEMPSEY L.L.P.<br>8000 TOWERS CRESCENT DRIVE<br>14TH FLOOR<br>VIENNA, VA 22182-6212 |             |                      |                     |                  |
| EXAMINER   |             |                      |                     |                  |
| SORRELL, IRON J  |             |                      |                     |                  |
| ART UNIT   |             | PAPER NUMBER         |                     |                  |
| 2182   |             |                      |                     |                  |
| MAIL DATE  |             | DELIVERY MODE        |                     |                  |
| 08/05/2008   |             | PAPER                |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/805,233

**Applicant(s)**

TSENG ET AL.

**Examiner**

ERON J. SORRELL

**Art Unit**

2182

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22-28 and 36-42 is/are allowed.
- 6) ☒ Claim(s) 29, 30, 34 and 35 is/are rejected.
- 7) ☒ Claim(s) 31-33 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Paper No(s)/Mail Date: \_\_\_\_\_
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 5/20/08 has been entered.

***Examiner's Remarks***

2. The indicated allowability of claims 29,30,34, and 35 is withdrawn in view of the newly discovered reference(s) to Sczcepanek et al. (U.S. Patent No. 6,690,668 hereinafter "Sczcepanek". Rejections based on the newly cited reference(s) follow.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 29,30,34, and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Sczcepanek et al. (U.S. Patent No. 6,690,668 hereinafter "Sczcepanek").

5. Referring to claim 29, Sczcepanek teaches a network device (see item 20 in figure 4a), having default values that are flexibly configurable, comprising:

a microprocessor interface (see item 56 in figure 4a);  
a memory interface (see item 54 in figure 4a); and  
a register file (see item 45 in figure 4a) containing the default values for the network device (see lines 23-27 of column 7);

wherein the memory interface is configured to receive configuration instructions, wherein the network device is configured to interpret the received configuration instructions such that the corresponding values are mapped to corresponding default values of the register file, and wherein the network device is configurable to set default values based on data

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received through either the microprocessor interface and the memory interface (see paragraph bridging paragraphs 7 and 8).

6. Referring to claim 30, Szczepanek teaches the network device is configured to monitor a reset signal to determine if the default values should be updated (see lines 3-10 of column 8).

7. Referring to claim 34, Szczepanek teaches a controller for setting one of the microprocessor interface and the memory interface through which data is received to change the default value (see paragraph bridging columns 7 and 8).

8. Referring to claim 35, Szczepanek teaches the memory interface comprises an EEPROM interface (see item 54 in figure 54 in figure 4a) and the EEPROM interface is configured to receive configuration instructions from an EEPROM (see line 65 to column 7 to line 10 of column 8).

***Allowable Subject Matter***

9. Claims 31-33 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent

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form including all of the limitations of the base claim and any intervening claims.

10. Claims 22-28 and 36-42 are allowed.

11. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to teach or suggest alone or in combination, determining from a header whether any of the default values should be updated, when it is determined that the default values are obtained through a memory interface and updating the default values accordingly, in combination with the other recited claim elements as required by independent claims 22 and 36.

12. The prior art fails to teach or suggest, alone or in combination, determining from a header, the number of default values of the network device that should be updated in combination with the other recited claim elements, as required by claim 31. Claim 32 is allowable based on its dependency on claim 31. The prior art of record also fails to teach or suggest a header containing a key value, wherein the key value is compared to a pre-defined number to determine if any default values are to be updated in combination with the other recited claim elements as required by claim 33.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERON J. SORRELL whose telephone number is (571)272-4160. The examiner can normally be reached on Monday-Friday 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Eron J Sorrell/  
Examiner, Art Unit 2182  
7/23/2008